IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 23711 of 2004

Between:

Bonangi Konda Babu Padal S/o.late Pothuraju Padal
Rajannapeta Village, Rolugunta (M),
Visakhapatnam.

... PETITIONER

AND

The Mandal Revenue Officer Rolugunta (M)
Rolugunta, Visakhapatnam Dist.

...RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of Mandamus, or any other appropriate writ, order or direction, declaring the action of the respondent in not issuing the pattadar passbook and title deed of the scheduled lands situated in Survey No.58/258/1,58/4,57/1,62/9,92/2,63/1 to an extent of 14 acres 43 cents; 4 acres 93 cents; 1 acre 78 cents; 58 cents; l acre 98 cents, 59 cents; 0.04 cents respectively to the petitioner as illegal and by considering the representations dt 5-12-2000 for a consequential order directing the respondent to issue pattadar passbook and title deed of the scheduled property in favour of the petitioner.

Counsel for the Petitioner: MR.CH.DHANAMJAYA

Counsel for the Respondents: GP FOR REVENUE

The Court, at the admission stage, made the following:

ORDER:

This writ petition is filed seeking a Writ of Mandamus in declaring the action of the respondent in not issuing the pattadar pass book and title in respect of the scheduled lands situated in various survey numbers to an extent of Ac.14.43 cents, Ac.4.93 cents etc. as illegal and arbitrary and to direct the respondent to consider the petitioner's representation dated 05-12-2000.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for the respondents and with their consent, the writ petition is being disposed of finally at the admission stage.

3. Petitioner claims that his mother executed a will deed dated 05-03-1986 bequeathing the scheduled property in Survey No.58/2, 58/4, 57/1, 62/9, 62/2 and 63/1 over an extent of Ac.14.43 cents, Ac.4.93 cents, Ac.1.78 cents, Ac.1.93 cents, Ac.0.59 cents and Ac.0.04 cents respectively in Rajannapeta Village of Rolugunta Mandal, Visakhapatnam District in his favour. After the demise of the petitioner's mother, it is stated that petitioner had been making representations, latest being on 05-12-2000, to the respondent – Mandal Revenue Officer, requesting him to issue Pass Book and Title Deeds by incorporating his name in the Revenue Records as legal heir of his mother by virtue of the will deed executed by her on 05-03-1986, for issuance of Pattadar Passbook and Title Deeds in his favour. It is alleged that so far, no action has been taken on the said representation.

4. Inasmuch as the representation of the petitioner dated 05-12-2000 is pending before the respondent – Mandal Revenue

Officer, I deem it appropriate to dispose of the writ petition with a direction to consider the said representation of the petitioner and pass appropriate orders, expeditiously.

The writ petition is accordingly disposed of at the admission stage.

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N. V. RAMANA, J

December 21, 2004

MRR/NSR

Copy to:

1. The Mandal Revenue Officer Rolugunta (M)
   Rolugunta, Visakhapatnam Dist.
2. Two C.C. s to the G.P. for Revenue, High Court Buildings, Hyderabad (OUT)
3. Two C.D. Copies.